

**ADMINISTRATIVE COMMITTEE  
GREATER LAFAYETTE AREA TRANSPORTATION & DEVELOPMENT STUDY**

**Minutes  
December 2, 2005**

**MEMBERS PRESENT**

Tony Roswarski	Mayor of the City of Lafayette
Jan Mills	Mayor of the City of West Lafayette
KD Benson	President of the County Commissioners
Gary Schroeder	President of the Area Plan Commission
Gary Henriott	President of the Lafayette Board of Works
Steve Meyer	President of the Lafayette City Council
Patti O'Callaghan	President of the West Lafayette City Council
Mark Albers	Representative of IN. Dept. of Transportation (INDOT)
Joel Wright	Chairman of the GLPTC

**Absent Voting Members**

Kathy Vernon	President of the County Council
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**Non-Voting Members**

Sallie Fahey	Executive Director of the Area Plan Commission
Jennifer Bonner	City Engineer of Lafayette
Dana Smith	Pres.- Lafayette-W. Lafayette Chamber of Commerce
David Franklin	Rep. of US Dept. of Transportation

**Absent Non-Voting Members**

Dennis Carson	Director of Lafayette Redevelopment Committee
Jon Fricker	Chairman of the Technical Transportation Committee

**Also Present**

Opal Kuhl	Executive Director Tippecanoe County Highway Dept.
Jeremy Grenard	City Engineer of West Lafayette
Marty Sennett	Greater Lafayette Public Transportation Corporation
Doug Poad	APC Staff
Brian Weber	APC Staff
Bob Foley	Assistant City Engineer of Lafayette
Randy Walter	INDOT
Dan Shaw	Lafayette Journal & Courier

Chair Mayor Roswarski called the meeting to order at 2:00 p.m.

**1. NEW BUSINESS**

Sallie Fahey stated the Committee has never had a policy regarding substitution or proxy stand-ins for Committee members and that for a long time Randy Walters has stood in for Carter Keith. She went on to say INDOT is making a change and now the district directors will be on these type of committees throughout the state and that the new member would be Alan Plunkett from Crawfordsville. She further stated that Alan Plunkett indicated Mark Albers would be his representative from INDOT. She also felt it was important to have a voting member from INDOT present at all meetings and would propose to make that option available to other departments.

Tony Roswarski asked if a motion was needed.

Gary Henriott moved that Committee members be able to appoint a substitute or designee from their offices at meetings. Steve Myers seconded.

Mark Albers asked if the designee had to be named or if that would be at the district manager's discretion.

Sallie Fahey suggested the designee be named in order to maintain continuity.

Tony Roswarski concurred.

Dave Franklin asked if each district of INDOT had a planning director.

Mark Albers responded that was his role in this district.

Tony Roswarski requested the previous motion be amended.

Gary Henriott amended the motion to state that for INDOT, the designee for the District Director must be the Planning Director. Steve Myers seconded and the motion carried by unanimous voice vote.

## **2. MINUTES**

Gary Henriott moved to approve the minutes from the September 30, 2005 meeting with scrivener's errors corrected. Steve Myers seconded and the motion carried by unanimous voice vote.

## **3. FY 2005 TIP AMENDMENT – CITY BUS and INDOT**

Doug Poad stated CityBus and INDOT are requesting changes to the Transportation Improvement Program. The CityBus request is three-fold: 1. to update 2006 financial information with regard to Federal, State and local revenue along with operational and capital expenses, which is required by the FTA to show that enough capital is available to operate, 2. to update capital projects and program to include their high-priority projects, and 3. to change a capital grant to purchase a full-sized bus rather than an articulated bus which is not available from the manufacturer. He went on to say INDOT is requesting to program four projects: 1. replacement of the CXS railroad bridge on SR 25 west of the new US 231, 2. rehabilitation of the US 52 bridge over the Wabash River, 3. rehabilitation of the new US 231 bridge across the Wabash River, and 4. traffic signal modernization throughout the county. He went on to say these requests had been reviewed at the November meeting of the Technical Transportation Committee and the Committee recommended the requests be programmed into the Transportation Improvement Program.

Steve Meyer questioned the CityBus request and asked how many buses are to be purchased.

Marty Sennett stated CityBus hopes to purchase 25 or more buses in the next 4-5 years and he also mentioned item #8, the communications building. He went on to say that currently radio equipment is stored in Loeb Stadium in 2 unsecured locations, causing occasional problems. He further stated the proposed temperature-controlled communications building would be built large enough in order for other agencies to store their equipment if needed.

Steve Meyer asked the location of the proposed communications building.

Marty Sennett stated CityBus is looking into razing an old, green garage located on the 3<sup>rd</sup> base line of Loeb Field and leasing the land from the City of Lafayette in exchange for a new garage. He went on to say additional land around Lyboulte Field could also be leased for further expansion as needed.

Steve Meyer asked if the 5 buses to be purchased were for additional routes or as replacements for existing buses.

Marty Sennett stated that originally the buses were designated to be replacements for out-of date models but Purdue is regularly requesting additional service.

Dave Franklin asked what was done with the old buses that are replaced.

Marty Sennett stated, like any other Federal recipient, they are required to be advertised in the newspaper and also put out to bid, but usually they end up in a scrap yard because there is no resale value in a 20 year old vehicle with 500,000 – 600,000 miles of wear.

Dave Franklin stated he heard transit companies in Iowa were interested in purchasing older vehicles and also the transit company in Iowa that operates with the oldest vehicles is rewarded. He also stated the buses might be sold to private company that rehabilitates the units and then sells them to other countries, and also mentioned there is a company in California that sold reconditioned buses to Mexico and other 3<sup>rd</sup> world countries.

Marty Sennett said he would look into those options because the buses are difficult to dispose of.

KD Benson asked about the possibility of purchasing hybrid buses.

Marty Sennett stated CityBus was looking into the option of purchasing such vehicles. If the cost is in reason, he would consider buying hybrids because, in the past 2 years, the cost of diesel fuel has risen from \$.90 a gallon to the current price of \$2.70 per gallon. He also stated the hybrid buses are said to require less maintenance.

Tony Roswarski stated beginning June 1, 2006, the new Federal regulations requiring all the sulfur to be taken out of the diesel fuel will only cause the price for the fuel to increase.

Dave Franklin stated the cost at this time is about \$ .30 more and that is due to the fact so few people are using the low sulfur fuel. He went on to say it may be wishful thinking but he thought that the price might go down once the regulation take effect.

KD Benson strongly urged CityBus to consider the purchase of hybrid buses.

Dave Franklin asked about the difference in cost between a regular full-sized bus and a hybrid bus.

Marty Sennett replied the additional cost is \$140,000 to \$180,000 for a hybrid bus.

Gary Henriott stated he learned the hybrid bus brakes last 3 times longer than traditional buses and hybrids also require less engine maintenance and repair work, so fuel economy should not be the only consideration. He then questioned where the additional funds would be generated.

Marty Sennett stated the Chairman of CityBus invited Congressman Buyer to tour the facility and see the antiquated equipment. Congressman Buyer then earmarked the funds for the new equipment in the Reauthorization Bill.

Steve Meyer asked if the funds are all designated for this purpose.

Marty Sennett replied 80% of the costs are provided by the Reauthorization Bill and 20% of the funds are provided locally.

Patti O'Callaghan commented about the funds that have been saved by rebuilding when compared to the cost of purchasing new equipment.

Steve Meyer asked if local tax revenues would increase.

Marty Sennett stated taxes would increase by a 3.9% levy and that the cap was 5% which does not cover the increase in fuel bills and health insurance increases.

Opal Kuhl questioned the cost of the bridge replacement on SR 25 and asked if that was the total cost for the project or the cost for the preliminary engineering.

Randy Walter stated that was the cost of the PE rather than the construction cost.

Tony Roswarski asked if a motion was needed to change the \$150,000 construction cost on the SR 25 bridge to Preliminary Engineering Cost.

Sallie Fahey stated the change could be made in the staff reports before it is put before the Area Plan Commission.

Gary Henriott stated he had a conflict of interest and recused himself from the vote on the TIP Amendment

Jan Mills asked how many signals in the county would be modernized.

Mark Albers stated that information was not available at this time.

Steve Meyer moved to approve the 2005 TIP Amendment: CityBus and INDOT and KD Benson seconded. The amendment was approved by a unanimous voice vote, with Gary Henriott abstaining.

#### **4. DISCUSSION REGARDING POTENTIAL WRITTEN POLICIES FOR CHANGE ORDERS AND TIP AMENDMENTS**

Sallie Fahey stated change orders have never been a problem with this Community, however major problems have occurred in other MPO areas within the state when projects from the TIP have been bid too low, sometimes intentionally, the projects are already under construction and the contractor is continually submitting changes way above the amount programmed in the TIP for the project. She went on to say many communities have no policy for this, and INDOT has no choice but to pay the bills. She went on to say INDOT is requesting every MPO to establish a policy, which will be kept on file at INDOT, with regard to additional billings. INDOT will no longer pay these bills if a policy is not on file with their office, forcing the communities to pay the differences. She concluded by saying that has been our local policy and if that was not so, the additional funds would come out of other projects in the TIP and could cause postponement or cancellation of those other projects.

Jan Mills used Lindberg Road as an example of abiding by the rules of the State and using contractors chosen by the State, not necessarily the contractors the City would select. One million dollars on change orders is still outstanding. She further stated no one locally wanted to pay the additional charges.

Sallie Fahey explained that if a policy is in place stating the changes will not be signed unless paid by the locals, then INDOT will not authorize payment.

Opal Kuhl asked how the additional charges would be paid at that point.

Sallie stated the change order had to be approved and signed before the work could take place.

Steve Meyer stated that when you approve a change order, there is no guarantee additional change orders will not be needed before the project is completed,

Jan Mills mentioned the road surface the county used on Kalberer Road was not adequate for current traffic, causing the need for new engineering and better service. She questioned why the local government should be responsible for those bills when the additional costs were incurred due to the fault of others.

Sallie Fahey stated her preference at that point would be to go back and ask for a TIP amendment.

Steve Meyer questioned the difference between change orders and change of conditions, and asked if the changes were limited to certain percentages of the total contracts.

Opal Kuhl stated there was a 20% difference allotted on change of scope.

KD Benson stated the State Board of Accounts requirement allows for a 10% change.

Sallie Fahey stated the unapproved policy administered through the Area Plan Commission office, is when the fluctuations are tracked and are within the programmed amount in the TIP, that once the local government has signed the change order, it is approved through the Area Plan Commission, provided there is money still available for that project in the TIP. She further stated if money was not available for a specific project in the TIP, the only avenue to obtain the additional funds is for the TIP to be amended. She concluded by saying to cover the 20% allowable changes in the projects, requests should be made in the TIP for 20% above the projected cost and if any funds remain after completion of the project, the monies still belong to the community and can be relocated into other projects.

Mark Albers asked how tightly the funds are programmed.

Sallie Fahey stated every project begins with the engineer's estimate. She went on to say, if no written policy is on file in their office, no change orders would be approved and the project would come to a halt but also the changes would not reach the State at all unless approved locally first.

Steve Meyer asked the minimum time needed to approve a change through the Committee, especially in an instance when work on a project has been halted.

Sallie Fahey responded the minimum time needed to approve a change would be three weeks, provided the Committee would make some concessions with regard to meeting scheduling.

Tony Roswarski asked why the State is asking for this type of documentation regarding change orders.

Mark Albers referred to the concerns expressed regarding contractor selection and stated, during the reorganization at INDOT, part of the process on the construction side, leading in to the award of a contract, is the pre-qualification phase. He further stated before a contract is awarded to the lowest bidder, local officials have an opportunity to express concerns and at that point the State is not obligated to award the contract to that contractor. He concluded by saying, it falls to the locals to become part of the selection process when certain contractors are unresponsive to local jurisdictions. He stated there needs to be accountability, either with the contractor or with the design consultant, so when there are unexpected expenses, the State can seek recompense from the contractor or the design consultant.

Tony Roswarski asked if INDOT approved both the design and the plans before contracts are awarded.

Mark Albers stated that was true but the INDOT process is limited, because the design consultant is the professional, as long as he is following State design guidelines. He went on to state, the goal of INDOT is to begin projects as committed, the funds must be available rather than depleted from changes on other projects.

Sallie Fahey added that the funds Mark Albers is speaking about are the local Federal funds rather than INDOT's Federal funds, meaning if a project in one jurisdiction has high cost overruns, it will impact another project in the local area.

Mark Albers stated there will be many more audits and it is a cooperative effort between INDOT and Federal Highways to hold people accountable for the extra costs. The audits will benefit everyone in the long run and the public will get more value for their tax dollars.

Sallie Fahey offered to write a proposal and have it ready for Committee at the next meeting.

KD Benson asked if the proposed policy is the same as what is currently being done.

Sallie Fahey said it was but it has never been formally adopted.

Tony Roswarski asked if the proposal could be ready in enough time so he could have several people look over it before the next meeting.

Steve Meyer agreed with Jan Mills with regard to the State choosing contractors and also the local jurisdictions being held accountable.

Mark Albers stated that this year alone, three contractors were removed from jobs and this reinforces the commitment of the current administration with regard to accountability. He went on to say John Morton and Bob Kelley of INDOT are very serious about the contractors and qualifying them through stringent requirements.

KD Benson mentioned that Bob Kelly stated the State was going to qualify about 200 contractors and does not feel jurisdictions will be protected for specific environmental cases with specific challenges.

Randy Walters stated contracts are perused so any discrepancies from the TIP can be identified and the MPO is promptly notified while the draft agreements are being passed. He also mentioned the "Katrina effect" whereas all contract costs have risen.

Sallie Fahey stated there is no Administrative Committee meeting on the schedule. She went on to say the APC staff would write the draft and forward it to the Committee members. The members could notify her after they have had a chance to peruse the draft, and a Committee meeting could be scheduled at that time.

## **5. OTHER BUSINESS**

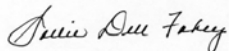
Sallie Fahey highlighted the STP handout and pointed out the \$2,594,021.00, on the first page, was the local community share of the 2004 money and pointed to the monies INDOT will have available for 2005 local disbursement. She also pointed out the \$3,729,868.00 apportioned for our MPO in 2005, which is up from the \$2.5 million the previous year. She also pointed out spending was also increased but Congress limited the amount of money available to spend to 86.71%, down from 93% last year. She further stated the actual amount of money put into the TIP is \$3,234,169.00. She concluded by saying the fiscal year funding is \$3,647,811.00, down from 2005, because we now comply with the open container requirement. Those funds will be added to general state funds.

Marty Sennett stated he has some concerns regarding bus service to the new low income housing proposed off Park East, that is due to be presented before the Lafayette City Council. He went on to say the developers have not spoken with CityBus regarding transit service and he wonders if there is proposed sidewalk service to Wal-Mart and Park East.

Steve Meyers moved to adjourn.

The meeting adjourned at 3:30pm

Respectfully Submitted,



Sallie Dell Fahey  
Secretary

SDF/lmu